

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CHARLES E. HILL & ASSOCIATES, INC.,)	
)	
<i>Plaintiff,</i>)	CASE NO. 2:11-cv-00174-JRG
)	
v.)	
)	HON. RODNEY GILSTRAP
1-800 FLOWERS.COM, INC.;)	
ABT ELECTRONICS, INC.;)	
FOLLETT CORPORATION;)	JURY DEMAND
FOLLETT HIGHER EDUCATION GROUP;)	
LOWE'S HOME CENTERS, INC.;)	
MASON COMPANIES, INC.;)	
NEIMAN MARCUS INC.;)	
OFFICE DEPOT, INC.;)	
RITZ INTERACTIVE, INC.;)	
SCHOLASTIC CORPORATION;)	
SONY CORPORATION OF AMERICA;)	
STAPLES, INC.; and)	
THE CHILDREN'S PLACE RETAIL)	
STORES, INC.,)	
)	
<i>Defendants.</i>)	

**PLAINTIFF CHARLES E. HILL & ASSOCIATES, INC.'S NOTICE
REGARDING DEFENDANT STAPLES, INC.'S MOTION TO COMPEL**

Plaintiff Charles E. Hill & Associates, Inc. ("Hill") hereby notifies the Court that in light of the Stipulation of Dismissal Between Plaintiff and Defendants Staples, Inc. ("Staples") (the "Stipulation of Dismissal") (ECF No. 238, filed Sept. 13, 2012), Staples's Motion to Compel (ECF No. 230, filed July 3, 2012) is moot. But for the filing of the Stipulation of Dismissal, Hill's response to Staples's Motion to Compel would have been due today, September 17, 2012. See Order on Joint Motion to Extend Deadlines (ECF No. 235, filed Aug. 6, 2012). In light of the Stipulation of Dismissal, Hill will not be filing a response to Staples's Motion to Compel.

Dated: September 17, 2012

Respectfully submitted,

/s/ Daniel M. Lechleiter
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*Counsel for Plaintiff, Charles E. Hill &
Associates, Inc.*

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(a)(1), 5(b)(1), 5(b)(2)(E), and 5(d), and Local Rules CV-5(a)(2)(A), CV-5(c), and CV-5(d), the undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) on September 17, 2012. As such, on the foregoing date, this document was served “on all counsel who are deemed to have consented to electronic service.” *See* Local Rule CV-5(a)(3)(A).

/s/ Daniel M. Lechleiter